

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 28, 2004

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J., and Jim Guzman, deputy clerk.

Each of the following:

B169433 VanMaanen v. State of California

Argument waived, cause submitted.

B169755 People
 v.
 Chavez

Merits:
Argued by Adam Axelrad for appellant and by Catherine Kohm for respondent. Cause submitted.

B167419 People
 v.
 Faltisco

Merits:
Argued by Edward Haggerty for appellant and by April Rylaarsdam for respondent. Cause submitted.

DIVISION TWO (Continued)

B170048 Weiss
 v.
 Weiss

Merits:
Argued by S. Roger Rombro for appellant and by Loretta Selinger for respondent. Cause submitted.

B169540 Kramer et al.
 v.
 Intuit, Inc.

Merits:
Argued by Richard Nakamura, Jr., for appellants and by Claude Stern for respondent. Cause submitted.

B166279 Agbabian
 v.
 TST Colorado Avenue et al.

Merits:
Argued by Robert Gerstein for appellant and by Steven Parminer, Jonathan Golding, John Hunter, and Mark Hellenkamp for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B168860 People
 v.
 William Victor Luna

Filed order vacating submission order of June 15, 2004. This matter is remanded to trial court. The trial court is to appoint counsel within 60 days, and the new trial motion shall be made within 90 days after new counsel is appointed. After the new trial motion is heard, the parties are to notify this court of the trial court's ruling. The matter will be resubmitted following notification to us of the trial court's ruling..

DIVISION FOUR

B171152 Best Products, Inc. (Certified for Publication)

v.

Superior Court, Los Angeles County
(Granatelli Motorsports, Inc., r.p.i.)

Let a peremptory writ of mandate issue compelling respondent court to set aside its order of November 3, 2003, overruling defendant's objections of attorney-client privilege and work product privilege to the discovery propounded by plaintiff on July 30, 2003, and to make a new and different order directing defendant (1) to serve further responses to the production requests which include a particularized identification of all documents to which the attorney-client or work product privilege is asserted and the facts justifying assertion of the privileges, and (2) to serve further responses, without objection, to interrogatories requesting identification of relevant documents but not their contents. The temporary stay order issued on November 13, 2003, is to remain in effect pending finality of this opinion. Petitioner (defendant) is to recover its costs in this proceeding. (Cal. Rules of Court, rule 56.4.)

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

B170914 Los Angeles County, D.C.S. (Not for Publication)

v.

Maria E.

The order terminating parental rights is reversed, and the matter is remanded for the juvenile court to provide ICWA notice of the dependency proceedings to the Sioux tribes, the Area Director of the Bureau of Indian Affairs and the Secretary of the Interior.

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

June 28, 2004 (Continued)

DIVISION FOUR (Continued)

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION SIX

B169316 Homes on Wheels et al. (Certified for Publication)
v.
City of Santa Barbara et al.

We reverse the order which denied a preliminary injunction against the City and remand for a hearing on the City's compliance with the posting requirement. In all other respects, the judgment is affirmed. Costs to appellants.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B167265 People (Not for Publication)
v.
Jose B.,

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

June 28, 2004 (Continued)

DIVISION SEVEN (Continued)

B145089 People (Not for Publication)
v.
Gutierrez

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
Zelon, J.

B165072 Kesmodel (Certified for Publication)
v.
Rand et al.

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, Acting P.J.

We concur: Woods, J.
Zelon, J.

B167703 Morla (Not for Publication)
v.
Construction Protective Services

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Johnson, Acting P.J.
Woods, J.

DIVISION SEVEN (Continued)

B165911 People (Not for Publication)
v.
Mesa

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Johnson, J.

B167560 Artisan Entertainment, Inc. (Not for Publication)
v.
Royal & Sun Alliance Insurance

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B165281 People (Certified for Partial Publication)
v.
Woods

We reverse that part of the judgment imposing and staying the terms for the surplus or inapplicable enhancements described in section 12022.53, subdivision (f); here, sections 12022.53, subdivisions (b) and (c). In lieu thereof, the imposition of the enhancements for the use and discharge of a firearm enhancements imposed pursuant to section 12022.53, subdivisions (b) and (c) are stricken. As modified, the judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Johnson, J.